

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To:  
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**NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY**  
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

**29. 6. 2004**

Applicant's or agent's file reference  
**CP03544 (PCT)**

**IMPORTANT NOTIFICATION**

International application No.  
**PCT/JP03 / 10612**

International filing date (day/month/year)  
**22.08.2003**

Priority date (day/month/year)  
**22.08.2002**

Applicant

**GATES UNITTA ASIA COMPANY**

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/JP

**Japan Patent Office**

3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan

Authorized officer

**Commissioner of the Patent Office**

Telephone No. +81-3-3581-1101 Ext. 3328

**3J 3021**

## ATTENTIONS

### 1. Demand for copy of documents

Copy of the documents described in the international preliminary examination report and not described in the international search report.

An applicant can request the copy of these cited documents to the Japan Patent Office, however, National Center for Industrial Property Information (Japan Patent Office building 2nd floor) handles inspection and copying of official gazettes and copying of other document etc.

[Contact and Reference]

National Center for Industrial Property Information

〒100-0013

3-4-3 Kasumigaseki Chiyoda-ku Tokyo

(Japan Patent Office building 2nd floor)

(Official gazettes) Industrial Property Information Reference Department

TEL: 03-3581-1101 Ext. 3811,3812

(Others) Industrial Property Reference Materials Department

TEL: 03-3581-1101 Ext. 3831,3832,3833

Japan Patent Information Organization also services sales of the copy of these cited documents. Those who request copying of the cited documents should pay attention to the following points.

[Application Method]

(1) As for Patent (Utility Model, Design) Gazette, the following points shall be defined clearly.

○ Types of patent, utility model, and design

○ Fiscal year and number of publication of application or publication of unexamined application (or patent number, registration number)

○ Necessary number of paper sheets

(2) As for documents except for the gazette, the following points are required attention.

○ Be sure to attach the copy of the international preliminary examination report (which shall be returned).

[Application and Reference]

〒135-0016

4-1-7 Toyo Koto-ku, Tokyo

Sato Daiya Building

Foundation of Japan Patent Information Organization

Information Processing Department

Copy Service section

TEL: 03-3508-2313

Note) The period for requesting the copy of the documents to Japanese Patent Office is set to 7 years from the international application date.

2. It is necessary to submit the copy of international application (except for cases of already transmitted from the International Bureau) and its prescribed translation, and to pay the national fee. Respective countries set different periods so as to be required attention. (See Treaty Article 22, Article 39, and Article 64 (2) (a) (i))

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>CP03544 (PCT)</b>	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/JP 03 / 10612</b>	International filing date (day/month/year) <b>22.08.2003</b>	Priority date (day/month/year) <b>22.08.2002</b>
International Patent Classification (IPC) or national classification and IPC Int.Cl. <b>F16G 1/00, F16G 1/28</b>		
Applicant <b>GATES UNITTA ASIA COMPANY</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> a total of <u>4</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand <b>17.03.2004</b>	Date of completion of this report <b>11.06.2004</b>	
Name and mailing address of the IPEA/JP <b>Japan Patent Office</b> 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	Authorized officer <b>ICHIRO KOHARA</b>	<b>3J 3021</b>
		Telephone No. +81-3-3581-1101 Ext. 3328

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP 03 / 10612

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☐ the international application as originally filed/furnished
- ☒ the description:  
pages 1 - 21 as originally filed/furnished  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:  
pages \_\_\_\_\_ as originally filed/furnished  
pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19  
pages\* 22, 23, 24, 24/1 received by this Authority on 17.03.2004  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:  
pages 1/6 - 6/6 as originally filed/furnished  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, Nos. 2
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03 / 10612

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1, 3 - 14	YES
	Claims		NO
Inventive step (IS)	Claims	1, 3 - 14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1, 3 - 14	YES
	Claims		NO

**2. Citations and explanations (Rule 70.7)**

D1:JP 6-280943 A(MITSUBISHI ELECTRIC BUILDING TECHNO-SERVICE CO.,LTD.) 1994.10.07(FAMILY: NONE)  
CLAIM 1, FIG.1-4, PARAGRAPH 0009-0015

D2:JP 9-242826 A(TOYOTA MOTOR CORPORATION) 1997.09.16(FAMILY: NONE)  
CLAIM 1,2, FIG.1

D3:Microfilm of the specification and drawings annexed to the written application of Japanese Utility Model Application No.103434/1983 (Laid-openNo.12747/1985) (NISSAN MOTOR CO.,LTD) 1985.01.28, SEE THE ENTIRE DOCUMENT. (FAMILY: NONE)

The subject matters of claim 1,3-14 are neither disclosed in any of the documents cited in the ISR nor obvious to a person skilled in the art.